

UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF WISCONSIN

WISCONSIN ELECTRICAL EMPLOYEES
HEALTH AND WELFARE PLAN,
WISCONSIN IBEW-NECA RETIREMENT PLAN,
STEVENS POINT AREA ELECTRICAL WORKERS
JOINT APPRENTICESHIP AND TRAINING TRUST FUND,
WISCONSIN ELECTRICAL EMPLOYEES
APPRENTICESHIP COORDINATOR FUND,
and LOYAL D. O'LEARY and DEAN LICHT,
in their capacity as Trustees of the Funds,

Plaintiffs,

vs.

Case No. 09-C-253

LIND ELECTRIC SERVICE INCORPORATED,

Defendant.

ORDER FOR JUDGMENT

A motion for default judgment with supporting pleadings having being brought by the plaintiffs in the above-captioned action were submitted to the court and filed with the Clerk.

The court, having duly heard all issues and a decision having been duly rendered, orders as follows:

1. Defendant Lind Electric Service Incorporated has failed to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure and controlling case law in the Seventh Circuit.

2. Defendant Lind Electric Service Incorporated violated the Labor Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreement by failing to pay fringe benefit contributions on behalf of its employees to the plaintiff Funds on a timely basis and failing to submit monthly remittance reports to the plaintiff Funds.

3. The court assesses damages, consisting of delinquent contributions, interest, liquidated damages, attorney fees and costs, to the plaintiffs at this time in the sum of \$25,938.92.

IT IS HEREBY ORDERED:

That the Clerk of Court is directed to enter judgment in favor of plaintiffs Wisconsin Electrical Employees Health and Welfare Plan, Wisconsin IBEW-NECA Retirement Plan, Stevens Point Area Electrical Workers Joint Apprenticeship and Training Trust Fund and Wisconsin Electrical Employees Apprenticeship Coordinator Fund and Dean Licht and Loyal O'Leary, in their capacity as Trustees of The Funds, and against defendant Lind Electric Service Incorporated in the amount of \$25,938.92.

Dated this 5th day of August, 2009.

Barbara B. Crabb
U.S. DISTRICT JUDGE